

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH CAROLINA

IN RE:

WALKER RUSSEL HARTER Sr.,

Debtors.

CASE NO: 19-02879-dd

CHAPTER: 7

ORDER AVOIDING JUDICIAL LIEN
(11 U.S.C. § 522(F)(1)(A))¹

Before the Court is the motion of the debtor to avoid the judicial lien held by the following creditors:

Name of creditor and description of property securing lien	Estimated judicial lien	Total of all senior/unavoidable liens	Applicable Exemption and Code Section	Value of the debtor's interest in property	Judicial lien not avoided	Judicial lien avoided
796 Citadel Road, City of Fairfax, Allendale County, South Carolina TMS #123-03-10-003 William Simmons 2016-CP-25-0170 Filed: 1/08/2017	\$2,703,025.90	\$500,000.00	\$60,000 per debtor: Section 15-41-30(a), SC Code	Life estate in Residence valued at \$92,200.00	\$-0-	\$2,703,025.90

¹ This form is for use only in chapter 7 and chapter 11 cases where the property subject to the lien is not co-owned as contemplated in In re Ware, 274 B.R. 206 (Bankr. D.S.C. 2001).

The Court finds that the judicial lien of the above-named creditor impairs exemptions to which the debtor would otherwise be entitled under 11 U.S.C. § 522(b) and Chapter 41 of Title 15, Code of Laws of South Carolina, 1976 (as amended), and that the judicial lien should therefore be avoided pursuant to 11 U.S.C. § 522(f)(1)(A) in the amount set forth above.

Therefore, IT IS ORDERED that the judicial lien held by the above-named creditor be, and hereby is, avoided in the amount set forth above.

AND IT IS SO ORDERED.